IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2703 of 1992

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG
HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHAKTI OCTROI COMPANY & 1 - Petitioner(s)
Versus
KHEDA NAGAR PANCHAYAT & 4 - Respondent(s)

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Appearance :
MR ASIT JOSHI for Petitioner(s) : 1 - 2.
None for Respondent(s) : 1 - 3.
None for Respondent(s) : 4,
MR UR BHATT, AGP for Respondent(s) : 5,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

and

HONOURABLE MR.JUSTICE M.R. SHAH

Date : 21/06/2006

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

From the records, it appears that no interim relief was granted to the petitioner so by lapse of time, the cause of action which earlier accrued in favour of the petitioner has also lapsed. It is to be noted that the provisions relating to recovery of octroi have also been abolished. The petition, in fact, has become infructuous. It is accordingly dismissed. Rule is discharged. No costs. Interim relief, if any, stands vacated.

[R.S. GARG, J.]

[M.R. SHAH, J.]

pirzada/-